REMARKS

Applicant has withdrawn the pending application from Appeal and filed a Request for Continued Examination. This communication is responsive to the Advisory Action mailed July 22, 2005. In this response, Applicant has amended claims 1, 21, 30, 31, 40 and 43 and canceled claim 29. Claims 1-28 and 30-43 are pending upon entry of this amendment.

Claim Rejections Under 35 U.S.C. §§ 102, 103

In the Final Office Action, the Examiner rejected claims 1-15, 17-18, 21-25, 29-43 under 35 U.S.C. 102(e) as being anticipated by Moussa et al. (USPN 6,742,03) in view of eekim.com (CGI Programming slides, 1996 (hererin, "Eeikim"). In addition, the Examiner rejected claims 16, 19-20, 26-28 under 35 U.S.C. 103(a) as being unpatentable over Moussa et al. Applicants respectfully traverse the rejection. Moussa et al. (Moussa) in view of Eekim fails to disclose each and every feature of the claimed invention, as required by 35 U.S.C. 102(e), and provides no teaching that would have suggested the desirability of modification to include such features, as required by 35 U.S.C. 103.

For purposes of clarification, Applicants have amended claim 1 to include the requirement of sending a pre-determined message to initiate a page rendering process at the remote client, wherein content of the message is the same regardless of the requested web resource. In this manner, Applicants have clarified that message is *pre-determined* and, therefore, does not change based on the requested resource. Support can be found throughout the present specification. For example, pg. 7, ll.7-9 states that, in some embodiments, the Initial Page Rendering (IPR) message is generic *such that the same IPR message is sent each time the server receives a request.* As another example, the Summary of the present application states that the IPR may be a *predetermined* application level message adapted to initiate a page rendering process. Other clarifying claim amendments have been made to claims 21, 30, 31 and 43.

Moussa in view of Eekim fails to teach or suggest receiving a request for a web resource from a remote client and, prior to processing the request, sending a predetermined message to initiate a page rendering process at the remote client. Moreover, Moussa in view of Eekim fails

to teach or suggest sending a predetermined message that is the same regardless of the requested web resource.

Moussa describes a proxy server that reformats web content in a particular way under certain conditions as determined by the operator of the proxy server.[1] The proxy server retrieves web content requested by a client, reformats it into a suitable format for the requesting client, and then forwards the reformatted web content to the requesting client.

With respect to Moussa, the Examiner primarily relies on col. ln. 35-65, which reads as follows:

> *HTML rewriter software 11 also functions to reduce or eliminate a dead time ("perceived latency") sometimes experienced by a user of client 2. The browser in client 2 can start to render a web page involving an image if the browser has size information for the image. If the browser has size information for the image, then the browser can begin to lay out the background page leaving a blank of the appropriate size for the image data yet to arrive. ...To avoid this perceived latency at the client, WebTV server 6 stores size information relating to the image in cache 8.* ***When client 2 requests a web page involving an image, WebTV server 6 retrieves the size information from its cache, rewrites the HTML of the web page to include the size information, and then relays the HTML on to client 2.*** *The browser in client 2 can therefore begin to render the web page using the size information for any images on the web page when it receives the HTML for the background page. The browser does not have to wait until it deciphers the HTML of the background page, identifies the image tag, issues a request for the image data identified by the image tag, and receives the actual image data with the size information. The size information is received along with the original HTML. The result of the rewriting of the HTML therefore results in a reduction in "perceived latency" at client 2.*

The Examiner also relies on col. 10. ll. 45-60, which similarly states:

> *To eliminate this "perceived latency" in the rendering of the background page, tokenizer CRM 403* ***inserts*** *the size information into the HTML before the HTML is passed back to client 102.*

The Examiner's argument can be best understood by viewing the Advisory Action mailed July 22, 2005. In the Advisory Action, the Examiner referred to Moussa and stated:

> *[W]hat is requested isn't the metadata but the actual content. The client would first request a page/image, the server side initially sends the size information of the requested data to allow for initial rendering of the webpage contents on the client side, not that the actual requested contents have not yet arrived. Thus the message returned is independent of the request.*

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[1] Abstract

Thus, in rejecting Applicants' claims, the Examiner is arguing that the image size information returned by the Moussa proxy server is independent of the request in that the image size information is not the actual requested content. However, the image size information returned by Moussa is directly a function of the particular image requested by the client. As quoted above, Moussa makes very clear that, when client 2 requests a web page involving an image, WebTV server 6 retrieves the size information for that particular image from its cache, rewrites the HTML of the web page to include the size information, and then relays the HTML on to client *2*.

Thus, Moussa makes clear that, for a given client request, the request must be processed to first determine the requested image, and then size information for that particular image is returned to the client to reduce latency. If the client requests a different image, then different image size information is returned. Moreover, Moussa specifically states that the image size information is inserted into the HTMLof the requested web page that is returned to the client.

For these reasons, Moussa fails to teach or suggest any form of initial page rendering message that is "pre-determined," as required by Applicants' claim 1 as amended. The size information returned by the Moussa proxy server is not a pre-determined message. To the contrary, the size information depends entirely on the particular page/image that is requested.

For at least these reasons, Moussa also fails to teach or suggest an IPR message where content of the message *is the same regardless of the requested web resource.* Clearly the size information returned by Moussa varies depending on the particular page/image requested by the client device.

Eekim adds nothing to address the deficiencies of Moussa. As discussed above, Eekim merely describes the format of a standard HTTP response itself includes as including a header that instructs the browser as to the type of content carried by the remainder of that same response, which is of course not "pre-determined" and changes depending upon the particular requested web resource.

CONCLUSION

All claims in this application are in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date: November 23, 2005

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